

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
CENTURY 21 REAL ESTATE CORPORATION)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 04-10785DPW
)	
DENNEHY, BARNES, VENTURES, INC.,)	
JOHN S. DENNEHY and THOMAS BARNES,)	
)	
Defendants.)	
_____)	

**STIPULATION AND ORDER OF DISMISSAL WITHOUT
PREJUDICE AND WITHOUT COSTS**

Pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiff, Century 21 Real Estate Corporation and the defendant Dennehy, Barnes, Ventures, Inc. hereby voluntarily agree and stipulate to the dismissal of this action without prejudice, each party to pay its own costs and attorneys' fees. This dismissal shall in no way affect the Permanent Injunction on Consent entered by the Court against Mr. Dennehy.

Respectfully submitted,

<p>CENTURY 21 REAL ESTATE CORPORATION</p> <p>By its attorneys,</p> <p><u>/s/ G. Rubenstein</u></p> <p>Arthur L. Pressman (BBO #643094) Gregg A. Rubenstein (BBO #639680) NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110 (617) 345-1000</p>	<p>DENNEHY, BARNES, VENTURES, INC. and THOMAS BARNES</p> <p>By their attorneys,</p> <p><u>/s/ K. Small</u></p> <p>Kenneth D. Small (BBO #567868) Pamela Zorn (BBO #640800) SHERIN AND LODGEN LLP 101 Federal Street Boston, Massachusetts 02110 (617) 646-2000</p>
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Dated: March 14, 2005